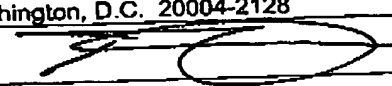
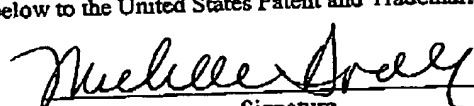


SEP 11 2006

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/811,109
		Filing Date	March 26, 2004
		First Named Inventor	Kenneth David HARRIS, Jr.
		Group Art Unit	2635
		Examiner Name	Michael Horabik
Total Number of Pages in This Submission	10	Attorney Docket Number	Brook.1022 (33964/1080)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Statement Under 37 CFR 3.73(b)
Remarks	<input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-3205 for the above identified docket number.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	<u>Tim L. Brackett, Jr., Reg. No. 36,092</u> Nixon Peabody LLP 401 9th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	September 11, 2006

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.	
<u>September 11, 2006</u> Date	 Signature <u>Michelle Duvall</u> Typed or printed name

Docket No. Brook. 1022 (33964/1080)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

SEP 11 2006

In re Patent Application of:
Kenneth David HARRIS, Jr. et al.
Application No. 10/811,109
Filed: March 26, 2004
For: DEVICE AND SYSTEM FOR
MONITORING FOOD

) Confirmation No. 9222
) Group Art Unit: 2612
) Examiner: Timothy Edwards, Jr.
)
) Date: September 11, 2006
)

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 14, 2006, please amend the above-identified application and consider Applicants' remarks as follows.

I hereby certify that this correspondence is being
facsimile transmitted to the USPTO at 571-273-8300
on 9-11-2006

Michelle Duvall
Michelle Duvall